

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.1761 OF 1997.

Date of Order:25-3-1998.

Between:

B.Nagamani. .. Applicant

and

The Admiral Superintendent,
Naval Dock,
Visakhapatnam.

.. Respondent

COUNSEL FOR THE APPLICANT :: Mr.S.Kishore

COUNSEL FOR THE RESPONDENTS: Mr.V.Bhimanna

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

AND

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (J))

Heard Mr.S.Kishore, learned Counsel for the
Applicant and Mr.V.Bhimanna, learned Counsel for the
Respondents.

Jai

.....2

2. The applicant is an handicapped girl. Her case was considered by the Director for the Welfare of Handicapped and had forwarded the application to the General Manager, Naval Dock, Visakhapatnam by Proceedings No.DWIG/10/2526/89, dated:16-2-1989 recommending her case for recruitment to any post. Accordingly, by Proceedings No.PIR/0703/Gen/AR, dated:21-11-1990, she was issued an order of appointment to the post of Sweeper. She has been working in that post on daily wage basis. She submits that she joined the Naval Dock and continued on daily wage basis for 5 years and the respondent failed to regularise her services inspite of several representations dated:16-2-1993 and 7-3-1995.

3. Hence she has filed this O.A. for a direction to the respondent to regularise her services by fixing the pay scale and to provide all consequential benefits.

4. The applicant had previously filed O.A.No.1315 of 1995 and the same was decided on 29-8-1997.

5. On 19-2-1998 when this O.A. came up for hearing it was stated for the respondent that the Selection Committee met during the month of July,1997 earlier to the decision in the O.A.No.1315 of 1995, hence the selection committee could not consider the case of the applicant taking into account her post intermitent services from 1991 to 1997 as directed by this Tribunal in O.A.No.1315 of 1995. It was further submitted that the physically handicapped quota was not fully complied with to the extent, the reservation was provided for. The learned Counsel for the Respondent also submitted that a review of the selection for the applicant in this O.A. would

Jai

....3

that be done and, in case the applicant secured more marks than the cut-off marks in the last selection then she would be considered against a post which would be available in the near future.

6. Then the learned Counsel submitted that he would make submission after verifying the position in full. Till today no submission has been made by the learned Counsel for the respondent.

7. Thus from their own submission, it is clear that they could not consider the case of the applicant as per the directions given in O.A.No.1315 of 1995.

8. Hence it is necessary to direct the respondents to consider the case of the applicant for regularisation against Physically Handicapped Quota taking into consideration the earlier services of the applicant from 1991 to 1997.

9. Hence the following directions are given:-

- i) The Order dated:26-11-1997(Annexure.3,Page.11 to the OA) is hereby set aside.
- ii) The respondent shall consider the case of the applicant for regularisation in accordance with the directions contained in O.A.No.1315 of 1995 decided on 29-8-1997 taking into consideration her past intermittent services.
- iii) Time for compliance 4 months from the date of receipt of a copy of this Order.

Do

.....4

10. Thus the O.A. is disposed of at the admission stage.
No costs.

B.S.JAI PARAMESHWAR
25.3.98
B.S.JAI PARAMESHWAR

MEMBER(J)

R.RANGARAJAN
(R.RANGARAJAN)
MEMBER(A)

Dated: this the 25th day of March, 1998

Dictated in the Open Court

DSN

R.R
R.R

Copy to:

1. The Admiral Superintendent, Naval Dock, Visakhapatnam.
2. One copy to Mr.S.Kishore, Advocate, CAT, Hyderabad.
3. One copy to Mr.V.Bhimanna, Addl.CGSC, CAT, Hyderabad.
4. One copy to HBSJP, M, (J), CAT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

15/3/98
6
II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

DATED: 25/3/98

ORDER/JUDGMENT

M.A/R.A/C.P.NO. —

in

D.A.NO.

1761/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

